

TO THE STATE OF MICHIGAN COURTS

My name is James Allen Steward iam incarcerated at Adrain prison and getting ready to paroel to C.P.I in Waterford Mi. and i have a active case in your court and i would like to renew my address i dont know how long ill be here but the Address is C.P.I 1435 N. Oakland Blvd Waterford Mich, 48327-5495 I would ask the court to change this Address until i find out were Iam going

THANK YOU James Allen Steward

James Steward

Date 12/12/15

Case No# 11-028363-FH

I got here on 12/15/15 and they just gave me my property and I have no access to legal work in court they even opened my letters and I told them I have + activp case To Th^r court to change address I didnt get these letters until 1/6/15 and now I have to try and mail them I have medical problems with my teeth and Jaw and wrist that they wont help me with and I've got to br here For 4/mth, this places is totally against your constitutional rights in so may ways but I can't even call a lawyer I please ask the court to send my mail here in this case

thank you James Stewart 1/6/16

I am sending this other case that I just got an answer on from Supreme Court the client court used a case were a guy was at new pass after he violated probation I was sentenced 1 yr county and went right from CPF for 6 mths the motion I and completed I am sending Denied like I said I have no access to here typewriters copy's or spending legal mail to help me in this matter

Brief,

on time credit case 11-28363 FH
James ALLEN Steward 212795 I was
sentenced To Tyre County 6mths CPI
and 4 yrs probation which I completed the
1yr and 6mths and 7mths on probation and
was violated for not going to New Pass a
verbal order then I was sentenced
to 3 1/2 to 15 yrs with one year credit
I didn't get credit for 6mths CPI
which is a highly restrictive Governed
Facility more then prison or Jail
after 3 yrs in prison I was sent back to
CPI for 4mths were you have no access
for laws Lawyer copy's legal mail or
typewriter I have carpal tunnels in both
wrist and can't get medical help for
that or my teeth which the only 2 that
touch from bottom to top are loose
and bleeding you can only get 1 visit a
every 3 wks and 1 phone call a wk you
can't leave the whole time your there
you verly can go outside as you can
see by the lower court used People
v Laska 187 Mi App 153 which Mr Laska
was at New Pass were you can leave
Daily in no way compare to CPI

I cant even have Pictures of my Grand Kids
or visits so this place is like maximum
Security but you cant be on your bed
all day. habeas corpus

My other issue is on this case to
it is in habeas corpus were they used
The wrong MCL 257.625-6-D on all
my paper work ~~either~~ either so I
was sentonce with a non existent law
or this is the old law with a ten years
statue which my priors were long past
or it would make my charge a misdemeanor
and the habitual offender would not apply
and make this a invalid sentence all
my papers have MCL 257.625-6-D which
is what I looked up in the law library
The first thing I please ask the court
To File This Motion and Take into account
the use of a non existent law or invalid
Law

I please ask the court
For help in this matter
and waiver Filing Fee I have no
money or income at all

Thank you James Stewart 1/27/16

POOR QUALITY ORIGINAL

STATE OF MICHIGAN
IN THE COURT OF APPEALS

PLAINTIFF
THE STATE OF MICHIGAN,

V.

VS -

Defendant
James Allen Stewart 217780
10 Years Imprisonment
CPI
1435 Oakland Blvd
Waterford MI, 48397-5495

Case No:

1017

Court of Appeals
5020 West Grand Boulevard
Suite 14-300
Detroit, Mich. 48262

LEAVE TO APPEAL
MOTION FOR TIME CREDIT ON SENTENCE MCL769.11b

Enclosed are copies of notices and letters and petitions from Circuit Court which are dated and to be processed County and leave to Appeal on this matter _____ proof of service

New inmate James Allen Stewart is proper being arrested on 07/11/2016 and with orders that were 13 and 17 yrs old charged for a third offence case number 11-02600-01 I was sentenced to the Salvation Army for 5 and a half years while going to court there was sentenced to Linc County there go right to CPI and 6 yrs which was all completed and 7 mos on probation to Linc was violated for not going to New York.

I was given credit for the time in jail on violation but no time credit for 5 and half yrs at Salvation Army or when in CPI which is highly restricted you can't leave or visit your kids or even have pictures of them because of sex offenders there so it is more restrictive than jail or prison.

This was a initial part of my sentence to complete the 6 yrs at CPI the case that the court used in there serial People Vs Leske 197 Mich. App 153 (1991) were the defendant was sentenced to probation thus violated it then went to New York where you can leave daily and violated that and wanted time for that.

It clearly states in MCL 769.11b that time spent of a sentence or a restrictive governeded Policy should be given credit on revocation sentence.

(2)
In People v- Strange (1972) 11 Mich App 550 and people v- Gravlin 32 Mich 311, 407 it was established if placed of confinement is 24 hr. residence requirement and not allowed to leave the facility for 10 days which program was completed should be given credit for time spent at program. a court is suppose to decide on if the confinement is tantamount to confinement which C.R.P. is highly restrictive and a warrant would be sworn out for you if you left early or get thrown out.

This week I violated of the 100 sentence against double jeopardy by not giving credit for this time spent.

After I was violated my sentence to 3 and a half to 15 yrs and only given credit for the jail time and not the 5 and a half before state of MI state. After sentencing, I've been incarcerated in prison for 3 yrs. ticket free completed substance abuse progrm & work full time until Lic. plate factory for 2 yr.

Request that

to have credit be given for both times spent at remans or at least the entire that was part of my sentence and was completed and for this time credit be sent to the lower court and the D.A.'s for time reduction I hope and pray this court will give me justice in this case

James Allen Steward Date _____

STATE OF MICHIGAN
IN THE CIRCUIT COURT FOR THE COUNTY OF GENESEE

PEOPLE OF THE STATE OF MICHIGAN,

Plaintiff,

Case No. 11-28363-FH

Hon. Geoffrey L. Neithercut

JAMES ALLEN STEWARD,

Defendant.

ORDER DENYING DEFENDANT'S MOTION FOR CREDIT
FOR TIME SERVED

At a session of said Court held in the Courthouse, in the City
of Flint, County of Genesee, Michigan, on
Thursday, December 11, 2014:

PRESENT: THE HONORABLE GEOFFREY L. NEITHERCUT

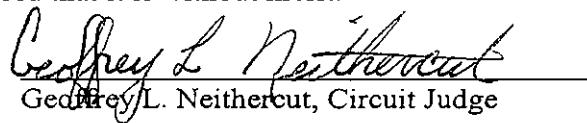
Defendant James Allen Steward has filed with this Court a motion entitled Motion for Credit for Time Served While Incarcerated. Defendant is seeking an additional jail credit of 180 days for the time he spent in a CPI program after he was released from county jail during his initial sentence.

Defendant is not entitled to an additional 180 days of jail credit for the time he spent at CPI. The CPI program is manifestly rehabilitative and credit is not required for time spent at such a facility. See People v Leske, 187 Mich App 153, 156-57 (1991). Where participation in a rehabilitative facility is required as part of a probation order, ^{not sentence} participation is manifestly rehabilitative and a defendant need not be credited for time spent in the facility preceding subsequent imprisonment for a probation violation. Id. at 157.

This Court has reviewed the file and the circumstances in this matter and NOW
THEREFORE,

A TRUE COPY
Genesee County Clerk

IT IS ORDERED THAT Defendant James Allen Steward's Motion for Credit for Time Served is DENIED, the Court being convinced that it is without merit.


Geoffrey L. Neithercut, Circuit Judge



Michigan Supreme Court
Office of the Clerk
Michigan Hall of Justice
P.O. Box 30052
Lansing, Michigan 48909
Phone (517) 373-0120

January 20, 2016

JAMES STEWARD
#212795
C.P.I. 1435 N OAKLAND BLVD
WATERFORD, MI 48327-5495

Re: ***People v Steward, SC 152102***

This is in response to your recent letter.

You filed an application for leave to appeal to this Court on 8/05/15. This Court issued a 12/22/15 order that denied your application. I've enclosed another copy of that order. This matter is now closed here. We cannot accept any further pleadings in this matter.

I've enclosed your letter.

Respectfully,

/s/ Inger Z. Meyer
Deputy Clerk

IZM
Enclosures

James Stewart 219795

METROPOLIX MI 48226
THE MICHIGAN STATE BAR
100 MONROE ST. STE. 1610

METROPOLIX MI 48226
FOREVER

CPT 1435 N. Oakland Blvd
Waterford Mich 48327-5495

United States District Court

Eastern District of Michigan

RECEIVED
FEB 1 2016

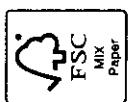
CLERK'S OFFICE
DETROIT

231 W Lafayette Blvd Room 564
Detroit Mich 48226

48226271853

•USPS 2013

THIS ENVELOPE IS RECYCLED AND MADE WITH 30% POST CONSUMER CONTENT



CIVIL COVER SHEET FOR PRISONER CASES

Case No. <u>16-10409</u>	Judge: <u>Laurie J. Michelson</u>	Magistrate Judge: <u>R. Steven Whalen</u>
Name of 1st Listed Plaintiff/Petitioner: James Allen Steward		Name of 1st Listed Defendant/Respondent: State of Michigan
Inmate Number: <u>212795</u>		Additional Information:
Plaintiff/Petitioner's Attorney and Address Information:		
Correctional Facility: CPI 1435 N. Oakland Blvd. Waterford, MI 48327		

BASIS OF JURISDICTION

- 2 U.S. Government Defendant
 3 Federal Question

ORIGIN

- 1 Original Proceeding
 5 Transferred from Another District Court
 Other:

NATURE OF SUIT

- 530 Habeas Corpus
 540 Mandamus
 550 Civil Rights
 555 Prison Conditions

FEE STATUS

- IFP *In Forma Pauperis*
 PD Paid

PURSUANT TO LOCAL RULE 83.11**1. Is this a case that has been previously dismissed?**

Yes No

> If yes, give the following information:

Court: _____

Case No: _____

Judge: _____

2. Other than stated above, are there any pending or previously discontinued or dismissed companion cases in this or any other court, including state court? (Companion cases are matters in which it appears substantially similar evidence will be offered or the same or related parties are present and the cases arise out of the same transaction or occurrence.)

Yes No

> If yes, give the following information:

Court: _____

Case No: _____

Judge: _____